

MEMO 26-05

TO: Susan Como, City Manager
FROM: James Kowalski, Director of Public Services *J.K.*
DATE: March 16, 2026
SUBJECT: Water Meter Reader Opt-Out

In August 2025, the City of Grosse Pointe Woods entered into a contract with Utility Metering Systems (UMS) to install new meter reading equipment throughout the City. The Project was implemented to replace the existing meter reading system, which is reaching the end of its operational life.

The contract with UMS expired on February 28, 2026. As of the contract completion date, 6,781 meter reading units have been successfully installed citywide. At this time, 46 accounts remain non-compliant and still require installation of the new reading equipment. These remaining installations will be completed by the Department of Public Works.

Each of the remaining accounts has received a minimum of five separate notifications requesting the schedule an appointment for installation. These notifications have included mailed letters, hand delivered notices, and door hangers advising residents of the requirement to comply with the meter upgrade program.

OPT-OUT OPTION

Several residents have requested the ability to opt-out of the smart meter reader installation. In response, the Department of Public Works has developed an opt-out agreement for those residents who choose not to participate in the automated meter reading system. Under this agreement, the property owner would be responsible for a \$65 fee each time the water meter must be physically read by a DPW employee. This fee covers the cost of the employee wages, vehicle operation, and the time required to manually obtain the meter reading.

Residents must either:

- Allow installation of the new meter reading equipment, or
- Execute the opt-out agreement and pay the applicable manual fee.

ENFORCEMENT

If a property owner refuses both installation and the opt-out agreement, water service may be interrupted as permitted under City code. In order for the City to enforce this requirement through prosecution, City Council must approve the rule or regulation by resolution. The resolution must then be published in a newspaper of general circulation in accordance with applicable legal requirements prior to enforcement.

To implement the Opt-Out Option, City Council needs to adopt a resolution approving the rule established by the Department of Public Works in accordance with sections 44-24 and 44-26 of the Code of Ordinances regarding opting out of or refusing to allow installation of a new smart water meter. The resolution has been reviewed and approved by the City Attorney.

Therefore, I recommend that City Council adopt the attached resolution and associated manual meter reading fee and authorize publication of the rule as required by law.

Approved for Council consideration.

Susan Como

Susan Como, City Manager

4/10/26

Date



CITY OF GROSSE POINTE WOODS
CERTIFIED RESOLUTION

A RESOLUTION APPROVING THE RULE ESTABLISHED BY THE DEPARTMENT OF PUBLIC WORKS IN ACCORDANCE WITH SECTIONS 44-24 AND 44-26 OF THE CODE OF ORDINANCES REGARDING OPTING OUT OF OR REFUSING TO ALLOW INSTALLATION OF A NEW SMART WATER METER READER

At a regular meeting of the City Council of the City of Grosse Pointe Woods on April 13, 2026, at 7:00 p.m. in the Robert E. Novitke Municipal Complex at 20025 Mack Plaza Dr., Grosse Pointe Woods, MI, with those present and absent being,

PRESENT:

Council Members:

ABSENT:

The following resolution was offered by Council Member _____, seconded by Council Member _____:

WHEREAS: Grosse Pointe Woods Code, Section 44-24. – Rules and regulations, states “[t]he public works division is hereby given permission to make such reasonable rules and regulations as may be necessary, expedient and advisable for the carrying out of the terms and provisions of this article or for the proper operating and maintaining of the division of public works, which rules and regulations shall be published in printed form so that the rules and regulations may be distributed to anyone wishing a copy thereof and shall be complied with by all persons desiring to use water or doing and performing any labor or material in connection with the water system of the city,” and

WHEREAS: Grosse Pointe Woods Code, Section 44-26. – Same—Violation, states “[i]t shall be unlawful for any person to violate any rule or regulation prescribed under section 86-36;¹ provided that, before any such rule or regulation shall become effective, it shall be approved by resolution of the council, and then published in one issue of a newspaper of general circulation in the city,” and

WHEREAS: In August 2025, the City of Grosse Pointe Woods entered into a contract with Utility Metering Systems (UMS) to install new water meter reading equipment throughout the City, and

WHEREAS: The Project was implemented to replace the existing water meter reading system, which is reaching the end of its operational life, and

¹ Section 86-36 is now Section 44-25 following the codification in 1997.

WHEREAS: The contract with UMS expired on February 28, 2026. As of the contract completion date, 6,781 meter reading units were successfully installed citywide, but 46 accounts remain non-compliant and still require installation of the new water meter reading equipment. The remaining installations can be completed by the Department of Public Works, and

WHEREAS: Each of the remaining non-compliant accounts has received a minimum of five separate notifications requesting the resident to schedule an appointment for installation. These notifications have included mailed letters, hand delivered notices, and door hangers advising residents of the requirement to comply with the water meter upgrade program, and

WHEREAS: Because some residents have requested the opportunity to opt out of the new water meter installation, the Department of Public Works has developed an opt-out agreement for those residents who choose not to participate in the automated water meter reading system. Under this agreement, the property owner will be responsible for a \$65 fee each time the water meter must be physically read by a DPW employee. This fee covers the cost of the employee wages, vehicle operation, and the time required to manually obtain the water meter reading, and

WHEREAS: The Department of Public Works has established a rule pursuant to City Code Section 44-24 which requires either completion of the opt out form which requires payment of the applicable manual water meter reading fee or allowing the installation of a new water meter within 10 business days from the date of a letter informing the occupant of the rule in order to prevent shut off of water service to the premises in accordance with Grosse Pointe Woods Code, Section 44-63, or prosecution for violating the rule, and

WHEREAS: The rule provides that water service to the premises may be discontinued for non-compliance with the rule in accordance with Grosse Pointe Woods Code, Section 44-63 and/or prosecution for violating the rule may be instituted;

NOW, THEREFORE LET IT BE RESOLVED: That the aforementioned rule is determined to be reasonable and is hereby approved. The City Clerk shall publish the rule once in a newspaper of general circulation prior to enforcement.

AYES:

NAYS:

ABSENT:

Resolution declared _____.

Sec. 44-24. - Rules and regulations.

The public works division is hereby given permission to make such reasonable rules and regulations as may be necessary, expedient and advisable for the carrying out of the terms and provisions of this article or for the proper operating and maintaining of the division of public works, which rules and regulations shall be published in printed form so that the rules and regulations may be distributed to anyone wishing a copy thereof and shall be complied with by all persons desiring to use water or doing and performing any labor or material in connection with the water system of the city.

(Code 1975, § 2-1-63; Code 1997, § 86-35)

Sec. 44-25. - Special regulations during water shortage—Authority of city administrator.

Whenever the city administrator has been notified by the board of water commissioners of the City of Detroit that the demand for water from the Detroit distribution system is such that, unless the usage is regulated, the public health, safety and general welfare is likely to be endangered, the city administrator shall prescribe rules and regulations, not less restrictive than those adopted by the City of Detroit, to regulate the water usage in the city during such emergency.

(Code 1975, § 2-1-64; Code 1997, § 86-36)

Sec. 44-26. - Same—Violation.

It shall be unlawful for any person to violate any rule or regulation prescribed under section 86-36; provided that, before any such rule or regulation shall become effective, it shall be approved by resolution of the council, and then published in one issue of a newspaper of general circulation in the city.

(Code 1975, § 2-1-65; Code 1997, § 86-37)

ARTICLE I. IN GENERAL

Secs. 86-1—86-31. Reserved.

ARTICLE II. WATER DISTRIBUTION SYSTEM**DIVISION 1. GENERALLY****Sec. 86-32. Jurisdiction over water system.**

The public works division shall have complete jurisdiction over the water distribution system, and shall make all taps and connections, install water meters, collect rates for water consumed, and do all other things necessary for the proper conduct of the water system.

(Code 1975, § 2-1-2)

Sec. 86-33. Disposition of revenue.

The public works division shall have a separate account in which all monies received for water consumed shall be deposited and from which all disbursements made by the division shall be withdrawn.

(Code 1975, § 2-1-3)

Sec. 86-34. Records.

The public works division shall keep a record of all services installed and the location thereof, and of such other information as shall be required from time to time by the board of water commissioners of the city.

(Code 1975, § 2-1-4)

Sec. 86-35. Rules and regulations.

The public works division is hereby given permission to make such reasonable rules and regulations as may be necessary, expedient and advisable for the carrying out of the terms and provisions of this article or for the proper operating and maintaining of the division of public works, which rules and regulations shall be published in printed form so that the rules and regulations may be distributed to anyone wishing a copy thereof and shall be complied with by all persons desiring to use water or doing and performing any labor or material in connection with the water system of the city.

(Code 1975, § 2-1-63)

Sec. 86-36. Special regulations during water shortage—Authority of city administrator.

Whenever the city administrator has been notified by the board of water commissioners of the City of Detroit that the demand for water from the Detroit distribution system is such that, unless the usage is regulated, the public health, safety and general welfare is likely to be

endangered, the city administrator shall prescribe rules and regulations, not less restrictive than those adopted by the City of Detroit, to regulate the water usage in the city during such emergency.

(Code 1975, § 2-1-64)

Sec. 86-37. Same—Violation.

It shall be unlawful for any person to violate any rule or regulation prescribed under section 86-36; provided that, before any such rule or regulation shall become effective, it shall be approved by resolution of the council, and then published in one issue of a newspaper of general circulation in the city.

(Code 1975, § 2-1-65)

Sec. 86-38. Unlawful use of water.

(a) Whoever intentionally, by any means or device, prevents water from passing through any meter belonging to the division of public works or used in connection with the supply of water to any consumer by the division of public works to register the amount of water passing through the meter, or intentionally prevents a meter from duly registering the quantity of water supplied, or in any way interferes with its proper action or just registration, or without the consent in writing of the office manager of the division of public works intentionally diverts any water from any pipe of the division of public works or otherwise intentionally uses, or causes to be used, without the consent of the division of public works, any water produced or distributed by the division of public works, or any person who retains possession of or refuses to deliver any meter or other appliance loaned to such person by the division of public works, shall, for every such offense, be fined as provided in this Code.

(b) The presence at any time of any device or pipes resulting in the diversion of water or prevention of its free passage and registration by the meter or diverting water from the meter as defined in this section or resulting in the prevention of water from reaching the meter, or preventing the just registration of the meter or the taking of any water except through a meter as set forth in this section, shall constitute prima facie evidence of knowledge on the part of the person owning or having custody and control of the room, building, place or premises where such device or pipe is of existence thereof and knowledge of such existence by the person who would be benefited by the failure of the water to be properly metered, and shall further constitute prima facie evidence of the intention on the part of such person to defraud, and shall bring such person prima facie within the scope, meaning and penalties of this article and this Code.

(Code 1975, § 2-1-66)

Secs. 86-39—86-60. Reserved.

DIVISION 2. APPLICATION AND INSTALLATION

Sec. 86-61. Application for water service.

All applications for the use of water through a service pipe, or for the introduction of service pipes, or for the installation of a water meter, shall be made to the division of public works of

City of Grosse Pointe Woods

Water Meter Access and Opt-Out Rule

Section 1. Purpose

The purpose of this rule is to ensure the accurate measurement of water usage, maintain system efficiency, and protect the public health, safety, and welfare of the City of Grosse Pointe Woods.

Section 2. Mandatory Access for Installation

All owners, occupants, or persons in control of any residential, commercial, or industrial property served by the City's water system shall provide the City of Grosse Pointe Woods, its employees, or its authorized agents reasonable access to such property for the purpose of installing, inspecting, maintaining, repairing, replacing, or upgrading water meters and/or remote reading devices.

Section 3. Refusal of Access – Opt-Out Requirement

Any property owner who refuses or fails to provide access for the installation of a water meter or remote reading device shall be required to execute a City-approved Water Meter Opt-Out Agreement within the timeframe established by the City.

Section 4. Opt-Out Terms and Conditions

A property owner electing to opt out shall be subject to the following conditions:

- a. A manual meter reading fee of Sixty-Five Dollars (\$65.00) shall be charged for each required reading, which shall be in addition to all regular water usage and service charges. (Fee could change yearly)

b. All manual meter readings shall be performed by City personnel and must be scheduled in advance at a date and time approved by the City.

c. Failure to provide access at the scheduled appointment shall result in:

- A missed appointment fee of Sixty-Five Dollars (\$65.00); and
- Possible initiation of water service interruption procedures.

Section 5. Non-Compliance and Enforcement

Failure to comply with the provisions of this ordinance, including failure to provide access or failure to execute and comply with an opt-out agreement, shall constitute a violation. The City may take one or more of the following enforcement actions:

- Discontinuation of water service in accordance with applicable ordinances and procedures;
- Issuance of municipal civil infractions, fines, or penalties;
- Any other remedies available under local, state, or applicable law.